

REMARKS

Claims 17-19 and 22-32 are now present in this application. Claims 1-16, 20 and 21 have been cancelled. New Claim 32 was added.

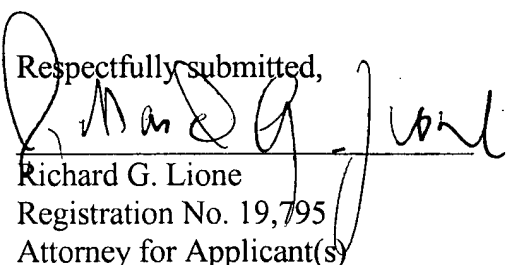
A Terminal Disclaimer based on U.S. Patent No. 7,048,722 is filed herewith. The rejection based on non-statutory double patenting should, as a result, be withdrawn.

Claims 17-19, 22-25 and 31 were rejected under 35 U.S.C. § 102(b). Reconsideration of these rejections is respectfully requested. The 35 U.S.C. § 102(b) rejection was based on Cruz et al. U.S. Patent No. 5,577,093. Cruz et al. does not disclose a multiple lumen catheter tube with lumens of equal lengths. It does not disclose a tube septum which forms the base of a port in an otherwise separate body. As such, Cruz et al. cannot anticipate these claims based on 35 U.S.C. § 102(b).

Claims 26-29 were rejected under 35 U.S.C. § 103(a) over Cruz et al. and Martin et al. Claims 26-29 have been amended to now clearly distinguish Cruz et al. As a result, the § 103(a) rejection based on Cruz et al. above should be withdrawn. Martin et al. bears no resemblance to the Claims 26-29 structure, of course.

Applicant respectfully submits that the remaining claims should all now be in allowable form. Passage of the application to issue is requested.

Respectfully submitted,


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Attachment: Terminal Disclaimer

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